IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 431 of 2005

Between:

1 Aleti RamMohan Reddy, S/o. Late Narasimha Reddy,
R/o. Vinayakanagar, Nizamabad.
2 A. Gangavva @ Marula, W/o. Late Narsimha Reddy,
R/o. Vinayakanagar, Nizamabad.
3 V. Laxmi @ Lalitha, W/o. Bhoom Reddy,
R/o. Subashnagar, Nizamabad.
4 A. Pranok Reddy, S/o. Late Narsimha Reddy,
R/o. Vinayaknagar, Nizamabad.
5 Narsareddy, S/o. Late Pulla Reddy,
R/o. Velpoor Village and Mandal, Nizamabad District.
6 Limba Reddy, S/o. Pulla Reddy,
R/o. Velpoor Village and Mandal, Nizamabad District.
7 D. Harikrishna, S/o. Bhagyavan,
R/o. Vinayaknagar, Nizamabad.
8 Renuka, D/o. P. Ram Reddy,
R/o. Kamlapur Village, Dichpally Mandal, Nizamabad District.

..... PETITIONERS

AND

1 The Station House Officer, Dharpally Police Station, Nizamabad District.
2 Manda Preethi, D/o. Govardhan Reddy, R/o. Near Zilla Parishad High School, Dharpalli Village and Mandal, Nizamabad District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of Certiorari or any other appropriate Writ to quash the FIR in Crime No.1 of 2005 of P.S. Dharpally, Nizamabad District and to pass such other order or orders..

Counsel for the Petitioners: MR.K.VENUMADHAV

Counsel for Respondent No.1: GP FOR HOME

Counsel for Respondent No.2: None appeared

The Court at the stage of admission made the following ORDER:

The petitioners seek a Writ of Certiorari to quash the F.I.R in Crime No.1 of 2005 on the file of P.S. Dharpally, Nizamabad District.

The petitioners contend that the second respondent filed a complaint against them only as a counterblast for the O.P. filed by the first petitioner seeking divorce. It is also stated that the names of various petitioners are implicated in it with a view to harass them.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

The circumstances under which the F.I.R. can be quashed by the High Court, in exercise of powers under Article 226 of the Constitution of India, are very limited. It is only in exceptional cases that such an exercise can be undertaken.

From a reading of the F.I.R. in question, it is evident that the second respondent made specific allegations against all the petitioners. The truth or otherwise of the same needs to be considered during the course of investigation or the trial, as the case may be. This Court does not find any basis to quash the F.IR.

The writ petition is accordingly dismissed. No order as to costs.

20-01-2005

kdl

To

1. The Station House Officer, Dharpally Police Station, Nizamabad District.

2. Two C.Cs. to the Government Pleader for Home, High Court of A.P., Hyderabad, (OUT).

3. Two C.D. Copies.